IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.GIRI

TUESDAY, THE 4TH DECEMBER 2007 / 13TH AGRAHAYANA 1929

WP(C).No. 35872 of 2007(U)

PETITIONER:

1. PRABHAKARAN.P.,AGED 46 YEARS
   S/O. KURUGAN, PALERI HOUSE
   KANJIRAPUZHA POST
   MANNARKKAD TALUK, PALAKKAD DIST

2. SUNI KUMAR.V., S/O.PADMANABHAN NAIR
   KUTTIPURATH HOUSE, KOTTAPPURAM
   SREEKRISHNAPURAM P.O.PALAKKAD.

BY ADV. SRI.M.RAMESH CHANDER

RESPONDENTS:

1. STATE OF KERALA ,REP. BY ITS SECRETARY
   TO HOME DEPARTMENT,GOVERNMENT OF KERALA
   TRIVANDRUM.

2. DIRECTOR GENERAL OF POLICE,
   TRIVANDRUM.

3. SUPERINTENDENT OF POLICE
   PALAKKAD.

BY GOVERNMENT PLEADER SRI.BEJOY CHANDRAN

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 04/12/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

V.GIRI, J.

W.P.(C).No.35872 of 2007

Dated this the 4th day of December, 2007.

JUDGMENT

The petitioners were originally suspended by Ext.P1 order dated 12.9.2005, pursuant to registration of a crime. Memo of charges has been issued. As per Ext.P2, petitioner then sought for revocation of the suspension, which has now been declined as evidenced by Ext.P3. Ext.P3 communicates the decision taken by the Director General of Police. In my view, the petitioners have an efficacious remedy before the Government and they are at liberty to do so.

2. After hearing learned counsel for the petitioners and the learned Government Pleader, the writ petition is disposed of in the following terms:

(i)Petitioners may file a representation before the Government within four weeks from today, seeking revocation of the suspension, in which case, it shall be treated as an appeal/revision against the

decision taken by the Director General of Police which is referred to in Ext.P2.

(ii) If such a representation is so received by the Government, first respondent shall take a decision thereon, after hearing the petitioners, in accordance with law, keeping in mind the circular, regulating the review of suspension within six months from date of order of suspension, within a period of two months thereafter.

Sd/-

(V.GIRI)

JUDGE

sk/

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P.S. To Judge